

BUSINESS LAW SKILL CERTIFICATION

Required Terminology List

****The number in parentheses indicates the number of test questions taken from that standard****

Standard 1 - Ethics (2)

ethics
unethical/illegal conduct

Standard 2 - Origin of Law (7)

common law
due process
statutory law
case law (court decisions)
constitution
administrative law
Bill of Rights
precedent

Standard 3 - Court Systems (9)

jurisdiction (original/appellate)
grand and petit juries
juvenile court
appellate court
State courts
Federal courts
plaintiff
defendant
prosecutor

Standard 4 - Process of Litigation (22)

liable
slander
invasion of privacy
defamation
strict liability
proximate cause
assumption of risk
tort
crime
litigation
arbitration
mediation
conciliation
civil law

- complaint
- preponderance of evidence
- judgment
- civil law remedies

criminal law

- arrest
- proof beyond a reasonable doubt
- verdict
- criminal law penalties

Standard 4 - contd.

felony

misdemeanor
infraction
negligence

- duty of care
- breach of duty
- breach caused injury
- actual injury

forgery
embezzlement
fraud
perjury
insanity
self-defense
reasonable person standard/test
proximate cause
injunction

Standard 5 - Contract Laws (17)

classification of contracts

- valid/void/voidable
- unenforceable
- express/implied
- bilateral/unilateral
- written/oral

offer and acceptance
genuine agreement
consideration
capacity
legality
pledge/gifts
benefit/detriment
assignment/delegation
performance
nondisclosure
misrepresentation
mistake
duress
undue influence
minors and contracts
majority
Statute of Frauds
Standard 5 - contd.
discharged/terminated contracts
breach of contract
ratification
Statute of Limitations

Standard 6 - Sales/Consumer Laws (6)

goods
real property
risk of loss
shipment contract

destination contract
identity theft
expressed warranty
implied warranty
Uniform Commercial Code (UCC)
usury
consumer protection laws

- bait and switch
- Truth in Lending Act
- price fixing
- cease and desist

Standard 7 - Agency/Employment Law (9)

fiduciary
gratuitous
terms of agency
agent and principal (including duties)
independent contractor
justified discrimination
unjustified discrimination
OSHA
equal employment acts
employee rights, conditions, benefits
unemployment compensation
collective bargaining
garnishment

Standard 8 - Business Organizations (8)

sole proprietorship
partnership (limited/general)
corporation (private/public/non-profit)
franchise
stock (common/preferred)
shareholder
bankruptcy (Chapter 7/11/13)

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Optional Terminology List

Standard 9 - Personal/Real Property

real property
personal property
fixtures
rental laws
bailment
liens
liquidation
intellectual property

- patents
- copyrights
- trademarks

Standard 10 - Negotiable Instruments

elements of negotiable instruments
types of endorsements
insurance
premium
collateral
cosigner (suretyship)

Standard 11 - Computer Laws

source code
computer hacking
software piracy
Internet laws
copyright law

Standard 12 - Wills and Trusts

requirements of wills
revocation of wills
dying intestate
testator
codicils
decedent
beneficiary
executor/administrator
probate
contesting a will

Standard 13 - Divorce Laws

marriage contract
prenuptial agreement
common-law marriage
annulment
divorce
dissolution
child custody
child support
custodial parent